E 407
.S51

Copy 2

LIBRARY OF CONGRESS
00005021868

SPEECH

OF

HON. A. H. SEVIER, OF ARKANSAS,

IN THE SENATE OF THE UNITED STATES, JANUARY 4, 1848,

On the Bill reported from the Committee on Military Affairs to raise, for a limited time, an additional Military Force.

Mr. SEVIER said:

Mr. PRESIDENT: If the discussion with which we have been honored for the last two or three weeks had been confined to the merits of the bill which proposes to add ten regiments to our military establishment in Mexico, it is very certain that I should have taken no part in this debate. My inexperience, practically and in theory in military affairs, would have been my apology for my silence. It is not my purpose now to dwell at any length upon the merits of this bill. I shall vote for it, because such a measure has been asked of us by the proper constitutional authorities of our country, to whom belong the management of all our wars; and because it has been favorably recommended by the experienced and intelligent gentlemen of the Military Committee, to whom the investigation of such a subject properly belongs. I shall vote for it, because I regard it as an essential measure to obtain, what we all profess so much to desire, a speedy and permanent peace with Mexico; and until that peace shall be had, as a wise financial arrangement, by which our treasury will be relieved, to a sensible extent, from the burdens which this war has thrown upon it. For these general reasons, avoiding all details, I shall vote for the bill with great pleasure.

My chief object in addressing you to-day, sir, is to defend the President, for whom I feel a high personal regard, and the party of which he is at present the representative, and to which I belong, from the unmerited censures which have been cast upon both in reference to the origin of this war, its mode of prosecution, and its ultimate objects. Upon each of these three points, upon which we have had such eloquent and elaborate discourses, I purpose, if my health and strength will sustain me, to make some observations.

The causes which led to this war have been properly described as being immediate, and, more or less, remote. The immediate cause of the war, if the message of the President, if the report of General Taylor, and our own journals, are to be credited, is to be found in the attack made by the Mexican army upon the commands of Captains Thornton and Hardee, on the 24th of April, 1846, on the east side of the Rio Grande, about fifty miles above Fort Brown, in which sixteen soldiers of the army of the United States were killed or wounded, and the residue of the detachment, consisting in all of sixty-three men and officers, were captured by the army of Mexico, and carried off by their captors in triumph to the city of Matamoros. Upon the report of General Taylor of this affair, under date of the 26th of April, the President predicated his war message of the 11th of May; and upon this message, accompanied by this report, we passed the act of the 13th of May recognizing the war with Mexico.

The remote causes of the war have been traced to the acquisition of Louisiana in 1803—to the cession of Texas to Spain in 1819—to the violation of the treaty of 1839, on the part of Mexico, which provided for the adjustment and payment of the claims of our citizens by Mexico—and to the colonization of Texas, its revolution, independence, and, finally, its admission into this Union. In any of these causes, whatever may have been their influence, singly or collectively, in producing this war, the President had not the slightest agency. When Louisiana was acquired, he was a minor; when Texas was ceded to Spain, he was a very young man and not in our councils; when the treaty of 1839 was violated by Mexico, he was acting as the Governor of a distant State; and the resolutions for the annexation of Texas were passed in the time of President Tyler, and before he came into power.

Yet I am free to confess that the party to which he belongs have had, in their day and generation, a good deal to do with all of those questions. The party to which I refer acquired Louisiana, purchased the Floridas, obtained the treaty for the settlement of the claims of our citizens by Mexico, and, finally, for good or for evil, the same party have brought Texas back into this Union, where, at all hazards and at any sacrifices, they intend to keep her, and every part and parcel of her. And while upon this subject I may add, that if any territory is acquired of Mexico as the penalty of this war, the country will be indebted for such acquisition to the same party; as it is already indebted for every territorial addition which has been made to the country since the war of independence, and that these acquisitions have been made in the face of opposition as violent as the opposition which is now encountered, and against objections very similar to those which are now made.

Sir, before passing sentence of condemnation upon the policy of the President, and particularly upon those grave questions, upon which we have had such merciless reviews, I think truth and justice alike require that we should look at the condition of the country, at home and abroad, in reference to these great questions, at the time that

Printed at the Congressional Globe Office.

the President came into power on the 4th of March, 1845. On that day it was his fortune to inherit from his predecessors, the settlement of two grave questions, in which other countries than our own claimed an interest. One of these was the Texas question, and the other, the Oregon controversy. One affecting the pride and interest of Mexico, and the other the pride and interest of England; and both, the pride and interest of the United States.

After all that has occurred, I hope I shall be pardoned for glancing at the rise, progress, and maturity of these twin sisters, and of their influences in England and in Mexico, and of both against the United States, until the one was amicably settled by the treaty of June, 1846, and until the other involved us in the war in which we are now engaged.

Sir, we all know that, after the successful revolt of Mexico from Spain, Texas was colonized by citizens from the United States, at the instance, in the first place, of Iturbide, her Emperor, and afterwards, at the instance of the Republic of Mexico. This policy of colonization was a wise one, and in imitation of the policy of Spain and France, when those Powers held possessions on this continent. We all know that, in the course of events in that country, of which I need not speak, Texas revolted from Mexico, and that her revolution was successful; that her independence followed, and that that independence was afterwards acknowledged by England, France, Belgium, and the United States. We all know that, after she had achieved her independence, Texas twice applied—first under the administration of President Jackson, and afterwards under that of President Van Buren—for admission into this Union; and that each of those applications, out of deference to Mexico, and out of deference to the opinions of the world, were refused. In 1843, for reasons which I need not fully go into, Texas was invited by the Government of the United States to come into this Union. Security to southern institutions was one of the inducements on the part of the United States. Trade, commerce, navigation, the extension of our territorial domain in a desirable direction, security to the Union in its most vulnerable point, and the monopoly of southern products, upon which the chief Powers of Europe depended, and which dependence was regarded as more efficient, and cheap, and safe for the preservation of our peace, than standing armies, were the other inducements to that measure.

Texas came upon our invitation, and, in 1844, entered into a treaty with the Government of the United States, by which she agreed to give up her sovereignty and independence, and become one of the States of this Confederacy. That treaty was submitted to the Senate for its ratification, and met with very determined and zealous opposition in this Chamber—the entire voice of one party, then in the majority, and a respectable portion of the other, were against it. The conflict of opinion between the advocates and opponents of the treaty, created a good deal of excitement. In the midst of our discussion upon it, a copy of that treaty, with the documents accompanying it, without the sanction of the Senate, found its way into the columns of the public press of the country. The publicity of that treaty, with the documents which belonged to it, carried into the country the excitement which had been created in the Senate in regard to it. The time of these occurrences was in the spring of 1844, and but a few weeks before the assemblage of the two conventions at Baltimore of the two great parties of this country for the selection of their candidates for the offices of President and Vice President of the United States. Cotemporaneously with these occurrences, the two distinguished and acknowledged leaders of these great parties simultaneously came out against the treaty and the immediate annexation of Texas to this Union. These letters added to the excitement then prevailing in the country. The conventions met. The Whig convention nominated, as it ought to have done, their distinguished leader, eminently qualified as fully imbodying in himself the principles of that party, including their hostility to the treaty and to the immediate annexation of Texas. The other convention, on account of the supposed heresy of their chief in reference to the Texas question, superseded him, and nominated another favorable to the Texas issues. The treaty was rejected, but the issue was made up and presented to the country for its decision at the ballot-box. That issue was decided in November, 1844, and in favor of the Texas candidate. Mr. Tyler had yet one session of Congress left under which to administer the affairs of this country. In this short fragment of his term, a joint resolution for the annexation of Texas was introduced in the House of Representatives by a prominent Whig of the State of Tennessee. That resolution renewed the excitement upon this Texas question. It passed ultimately by nearly a party vote. All the Whig party, I believe, but three or four from the State of Tennessee, voted against it. That resolution came to the Senate, and brought with it the excitement from the House. It was referred to our Committee on Foreign Relations, and that committee reported adversely upon it. The friends of the House resolution, to save the measure, were forced into a compromise with their friends. This compromise was made by adding to the House resolutions, as an alternative proposition, the resolution which had been offered by the Senator from Missouri, [Mr. Benton.] At the proper stage of the proceedings this amendment was offered, for which every Democrat voted, and against which every Whig but three (Johnson of Louisiana, Merrick of Maryland, and Henderson of Mississippi,) cast their votes. The amendment having been adopted, the final vote came on. And who that was here at that time can ever forget it? It was at night. The House had adjourned, and I believe every member of it was here witnessing our proceedings. Our galleries were crowded until they could be crowded no more; every door, and window, and avenue to our Chamber was filled with eager and anxious spectators. Every resident representative of any foreign Power or State was also here, and among the rest the minister from Mexico. Any material change in the resolutions was known to be fatal to the whole measure, and several were proposed. Democracy was then in a minority in this body. Every Senator was in his place, and justly felt his responsibility. Everything, in short, depended upon the firmness and courage with which Johnson of Louisiana, Merrick of Maryland, and Henderson of Mississippi, could and would resist the importunities of some and withstand the denunciations of others of their political friends. In this moment of hope and

fear, involving such interests to the United States and the future fate of the Republic of Texas, the vote was taken, and the resolution, as amended, was carried by a vote of 27 to 25. The resolutions were sent to the House and the amendment concurred in, and on the 1st of March approved by President Tyler, and on the 3d of that month was sent a messenger to Texas with the resolutions, and the first of the two offered to Texas for her acceptance, and on the night succeeding that day the term of President Tyler and of the session of the Congress that passed these resolutions expired together.

On the 4th of March, President Polk came into power, and two days thereafter, on the 6th, the minister from Mexico filed his protest, demanded and obtained his passport, and left the United States for Mexico, and our minister, in a few weeks thereafter, followed the example, and returned to his own country. Such, sir, was the condition of this Texas question when President Polk came into power on the 4th of March, 1845. He found the public faith of the country pledged to the annexation of Texas, and regarded it as his duty to see that that faith was preserved inviolate. He found that the resolutions for the admission of Texas, though obligatory upon the United States, for a given time in any event, had yet to be approved of by Texas before they could be obligatory on her, and finally upon both governments. To obtain this approval by Texas, however anxious to give it, under her form of government, required time. Her Congress had first to be assembled to authorize a convention of her people, and that convention had to be organized, and had to discuss, and consider, and decide upon the terms which had been offered by the United States. He found that, to prevent her acceptance of the terms which had been offered by the United States, Mexico was threatening to invade her, and that the Congress and convention had each asked the interposition of the United States to prevent it. He found our diplomatic intercourse with Mexico angrily and abruptly broken off. And how, sir, has the President managed the many difficulties connected with this question? Has he managed them with wisdom, prudence, and forbearance?—in a manner worthy of himself and the great country of which he is the Chief Magistrate?—with an eye single to the public good, and with the commendable view and temper to soothe the pride and restore the friendly relations with Mexico, and, at the same time, to protect the interest and honor of the United States?—and, above all, has he anxiously sought to suppress resentments, and to avoid a war between the two countries? These, sir, in my judgment, are the proper inquiries for us to make, and upon these inquiries I beg leave to make a few remarks.

Anticipating the favorable reception by Texas of the resolution of Congress, providing for her admission into this Union; apprehending, from intelligence which he had received from that quarter, an invasion of Texas by Mexico; earnestly urged by the Congress and Convention of Texas to prevent that invasion; the President, on the 15th of June, 1845, ordered our fleet to the Gulf of Mexico, and General Taylor, then at Fort Jesup, on the western frontier of Louisiana, to move with his forces to the mouth of the Sabine, on the Gulf of Mexico; or, in his discretion, to some other point in the Gulf or its navigable waters, which in his judgment, at the proper time, would be most convenient for the embarkation of his troops for the western frontier of Texas. In this order, General Taylor was further informed that his ultimate destination was the Rio Grande; and, in the same order, he was also informed not to enter Texas until he should learn that Texas had assented to the terms of annexation which had been offered her by the United States, or until required to do so by our minister at Texas. This is the substance of the first order to General Taylor. There were orders of the 8th and 30th of July, and of the 23d August, 1845. The substance of all these orders, apart from mere military detail, was, that he was to regard the Rio Grande as the point of his ultimate destination; that he was to protect Texas from invasion up to that river; and in no event permit armed troops from Mexico to cross it, as such an act would be regarded by the United States as an act of hostility. In executing these orders, he was directed to be careful not to do anything to irritate Mexico or to provoke hostilities; and that if Mexico had any military establishment on the east side of the Rio Grande (which by the by she had) not to disturb it; and should he find on the east side of that river any private citizens or settlers claiming to belong to Mexico, not to molest them. Such, sir, is the purport and substance of these several orders, in the wisdom and policy of all of which that distinguished general most fully concurred, as his correspondence abundantly proves. And where, let me ask, in what public document, in what history of any age or of any country, in what wild romance even, have we proofs of more prudence, caution, and forbearance than are to be found in the several orders of which I have given the substance? Where do we find the development of greater solicitude, while firmly resolved to protect the rights of his own country, to avoid giving offence, real or fancied, to an adversary, than we find in the conduct of the President as exhibited in the documents to which I have referred?

General Taylor obeyed the order of the 15th of June, and moved immediately with his command, not to the Gulf or its navigable waters, but to the barracks in the vicinity of New Orleans, and there he remained until he received, in the month of July, the intelligence from our minister at Texas that Texas had assented to the terms of annexation, and had voluntarily thereby become an integral part of this Union. Learning this, that General then, in further compliance with his instructions, embarked his troops for the frontier of the State of Texas. After some delays and difficulties connected with his stores and transportation, and some hesitation as to the proper point, of which the selection had been left to his discretion, we find him, on the 15th of August, at Corpus Christi, on the south side of the mouth of the Nueces river. Here he remained, usefully employed in making preparations for any service that might be required of him by either the folly or madness of Mexico, or the orders of his own Government. On the 16th of October, General Taylor is informed that information had been received by the department rendering it probable that no serious attempt would be made to invade Texas, although Mexico still continued to threaten incursions. Here, sir, with your permission, I will leave for a while our gallant old General and our

distinguished Secretary of War, with their happy prospects of peace before them, and invite your attention to this Texas question in another quarter, and to its management by other agents.

The President informs us, that in September, 1845, he received information from Mexico which induced him to believe that the Government of that Republic was, at that time, favorably disposed to settle by negotiation all the difficulties existing between the two countries. Relying upon this intelligence, Mr. Buchanan, our Secretary of State, on the 17th of September, 1845, addressed a letter to Mr. Black, our consul at the city of Mexico, directing him to ascertain if the intelligence which had been communicated by him and others was well founded; and if so, to assure the Government of Mexico that the Government of the United States would waive all etiquette, and send to that country immediately an envoy clothed with full powers to settle amicably, and on the most liberal terms, every cause of difficulty unhappily subsisting between the two countries. Mr. Black replied to this letter of our Secretary of State, under date of the 17th of October, informing our Government that an envoy would be received from this country, for the purpose of settling by negotiation all of the difficulties; and Mr. Black enclosed, with this despatch, the correspondence which had taken place upon this subject between himself and the Secretary of State of the Government of Mexico, of the dates of the 13th and 15th of October, 1845, showing on the part of Mexico their agreement to receive from this country an envoy, to settle by negotiation every dispute or cause of complaint that existed between Mexico and the United States; and it was asked on the part of Mexico, as a preliminary, that our fleet, then in the vicinity of Vera Cruz, should be withdrawn. In the month of November, this despatch of Mr. Black of the 17th of October, with the enclosures referred to, was received at the Department of State, and our squadron was immediately withdrawn from Vera Cruz, and Mr. Slidell, our minister, invested with full powers to settle amicably everything with Mexico, was sent to that country. This was the position of this Texas question when Congress met in this city in the month of December, 1845, which was the first Congress under Mr. Polk's administration. In the first annual message of the President, which was at the meeting of this Congress, the President made a full and detailed statement, with a minuteness which was almost tiresome, of everything that had been done in relation to this Texas question. He gave us everything emanating from either the State or War Departments having the slightest bearing upon it. He told us that Texas had agreed to our annexation resolutions, and, by so doing, had become a member of this Union. He communicated the substance of the orders to General Taylor, and particularly, that the point of his ultimate destination was the Rio Grande. He told us what intelligence he had received from Mexico respecting the reception of a minister, and that one had been sent to that country. He congratulated us all upon the enlarged extent, bloodlessly achieved, of our territorial domain, reaching, as he informed us, from the bay of Fundy, along the Atlantic coast, passing the capes of Florida, and around the Gulf to the Rio Grande. All these things he told us in his message of 1845, which message was read by our Secretary, printed by our printer, and read by us again in our chambers, and by the reading portion of our fellow-citizens. And in the same December, an act of Congress was passed, incorporating this whole Gulf coast into a collection district. Where were the eloquent defenders of our Constitution at the time of the passage of this act, and at the time of these Executive disclosures? Where were our champions of justice when these startling and portentous disclosures were made? Were they sick, or absent, or dead, or deaf, or blind? Did it take the sound of the cannon at Palo Alto, and of Resaca, to rouse them from their stupor, and to put their brains and tongues in motion? These are questions which, in my judgment, ought to be answered.

But to return to the history of our minister. Our minister arrived in the city of Mexico early in December, and on the eve of a revolution in that country, based, as he informs us, upon the unpopularity of the consent of the President of Mexico to receive a minister from the United States. Timidity and selfishness, more than inclination, on the part of Herrera, prevented his Government from receiving our minister. His mission was refused, upon the ostensible ground that he came as an envoy and not as a commissioner—with too much instead of too little power, and that he had been appointed by the President in the recess, and that that appointment had not been confirmed by the Senate. These were the ostensible motives. The real objections were, that Paredes, one of Herrera's generals, to whom had been intrusted the command of eight thousand men, for the invasion of Texas, pronounced against the Government of Herrera, on the avowed ground that Herrera had consented to receive a minister from the United States, with the view of settling all the difficulties between the two republics by negotiation, and that this general was then on his route to the city of Mexico for the purpose of overthrowing the Government, and putting a stop to these contemplated negotiations. These facts were communicated to our Government by our minister, under date of the 26th of December, and that communication was received in this city on the 12th of January, 1846, and on the next day, the order of the 13th of January was given to General Taylor to advance his columns to the Rio Grande. This order was received by General Taylor in the month of February, and executed by him in the latter part of March.

This is the order, sir, about which we have heard so much. This is the fruit of that forbidden tree, from which has sprung, and is to spring, nothing but wo and disaster to this country. This is the order which has violated the Constitution of the United States, and usurped the constitutional powers of Congress, which stands so preëminent in our history, without law or example to justify it, and which led to the invasion and forcible appropriation of the territory of a neighboring power, and changed the friendly relations of the two countries into that of a state of war.

Sir, I have already endeavored, I fear with tiresome particularity, to give you, in detail, the circumstances under which this order was given; and I will now, with your indulgence, make a few observations upon the objections which have been urged against it. The objections to this order, however ramified or numerous, all point to and rest upon Executive prerogative.

I shall not trouble you, sir, with reading extracts from our Constitution, or laws made in pursuance thereof; or from the Federalist, or from Kent or Story, or from adjudicated cases. Such a parade of learning, in such a body as the Senate, would be worse than useless. I hold these positions to be true: that the President is the constitutional commander-in-chief of the army and navy of the United States, and, as such, has the right, with or without good reason, to order the army of the United States to any point within the limits of the United States; subject, however, at all times, to personal punishment, by impeachment, for any corrupt abuse of his power. I hold that, under the Constitution and laws, he has the undoubted right, with or without the sanction of Congress, to suppress an insurrection, or to repel an invasion or threatened invasion of the territory of any of the States, or of the territory of the United States. If I am right in these positions, and I think no intelligent lawyer or statesman will controvert them, it follows that the order to General Taylor, of the 13th of January, which was to prevent an invasion of the territory of one of the States of this Union, was a constitutional order, which the President had the right to give, and which it was the duty of General Taylor to obey. In my view of this case, as the order was to prevent the invasion of Texas, it is a matter of immateriality and perfect indifference, whether the territory into which the army was marched belonged to Mexico or to Texas, unless it may be regarded as a circumstance of aggravation or mitigation of the offences of Mexico against this country.

But, sir, it so happens that the territory into which this army was marched, was the territory of one of the States of this Union, and was not the territory of Mexico. I am one of those who have ever contended, and do now contend, that the territory lying between the Nueces and the Rio Grande, and below New Mexico, rightfully and properly belongs to Texas, by the title of conquest and possession. I never did contend that the country east of the Rio Grande, and included in New Mexico, did belong to Texas; for she neither conquered or held possession of it. Yet I remember to have heard an argument in this Chamber, by our present Secretary of the Treasury, of great force and ingenuity, founded upon the laws of nations, and which I have never yet seen refuted, in defence of the claim of Texas to this territory also. I am one of those who never did believe, and do not now believe, that the desert, or stupendous desert, as on stupendous occasions it is sometimes stupendously called, (which, by the by, happens to be a large fertile prairie, resembling the famous blue-grass pastures of Kentucky more than anything else,) and which has been located between the Nueces and Rio Grande, ever was the proper boundary of Texas, however suitable a boundary it may be, to separate the Anglo-Saxon and Mauritanian races. And I will now proceed, sir, to give you the reasons for my faith.

After the battle of San Jacinto, in 1836, the Mexican army retreated to the west side of the Rio Grande, and, from that day to this, that power has had no military establishment on the east side of that river. Nor, prior to the events with our army, in April and May, 1846, has Mexico ever had an army on the east side of that river, except on two stealthy predatory incursions, for roguery and plunder, from which her forces retreated again to the west side of that river, more rapidly than they advanced from it. From the battle of San Jacinto to this day, Mexico has exercised no civil jurisdiction on the east side of the Rio Grande. The settlement (if a settlement it can be called) at Brazos Santiago, and the military organization at Laredo, to which reference has been made, for the purpose of sharing the exercise of civil authority, by Mexico, at the former place, and of military jurisdiction at the latter place, form no just exception to the force of my statement.

The settlement at Brazos Santiago, which party arithmetic has magnified into a village with a custom-house, consisted of a few miserable shanties, probably a half a dozen in number, which had been built and occasionally occupied by straggling fishermen, vagabonds, and smugglers—never permanent—here to-day and gone to-morrow; and it is believed, when the nest was full, never, at any one time, exceeding fifty souls in number. It is true, that during the existence of the troubles between Texas and Mexico, importers of goods and merchandise destined for the market of Matamoros, for the greater security from seizure by the authorities of Texas, did sometimes land their cargoes at Brazos Santiago; and that, on such occasions, an agent from the custom-house at Matamoros came to that point and received the duties on these goods, prior to their being crossed over to the west side of the Rio Grande, in order that they might by that route be safely introduced into Matamoros. And I believe it is also true, that those goods, while awaiting the arrival of the custom-house agent, and while being prepared for a land transportation from that point up the west side of that river, were temporarily protected by one or more of those shanties. From this information which I have had in regard to the settlement at Brazos Santiago, and in which I place confidence, I infer that there was nothing in the nature of that settlement, if a settlement it can be called, that goes to prove the exercise, on the part of Mexico, of any civil authority at that point. This information I have had confirmed by a conversation I have recently had with one of our gallant naval officers, who was with our fleet at Brazos, at the arrival of General Taylor at that place. The officer I allude to is Captain Gregory, of the navy. So far from such a settlement establishing the exercise of any such authority, I infer the contrary. It establishes the acknowledged supremacy of Texas on the east side of the river, as well as upon it.

In regard to the military organization at Laredo, which is relied upon to prove the exercise of military authority on the part of Mexico, on the east side of the river, I have to say, that I see nothing in that organization calculated to prove the exercise of any such authority. Before the revolution of Texas, the citizens of that town, in consequence of their exposure to Indian depredations, were exempt from the decree, or order, or law, or whatever it was, that deprived all the citizens of Mexico, not attached to the army, from owning and bearing arms. It was this decree or order, and the attempt on the part of Mexico to enforce it, that produced the revolution of Texas. The citizens of Laredo were exempt from a compliance with this decree, for the special reasons I have referred to. This organization existed before the

revolution, during the revolution, and, for aught I know to the contrary, exists to this day. It was an organization with which Texas never interfered, an organization which Texas had taken up arms to defend, and which was but a common right ever claimed and exercised by every freeman of that Republic.

This town, the largest and most important of all the settlements on the east side of the Rio Grande, was twice visited by the army of Texas, and that town as often acknowledged the supremacy of Texas; and that acknowledgment, so far as my information extends, was never after controverted. Such are the explanations, based, as I believe, upon truth, that I have thought proper to give upon the nature and description of those two settlements to which reference has been made.

In 1843, when Texas and Mexico were induced, through the medium of the representatives of France and England, to agree upon an armistice, nothing was said upon the subject of boundary between those two republics. But in the proclamation of General Woll, then at the head of the Mexican forces, that general, on proclaiming the termination of the armistice, notified every one not to approach, on the east side of the Rio Grande, within one league of that river, or they would be regarded as enemies, and treated accordingly. That general, on that occasion, said nothing about the Nueces or the stupendous desert.

These, sir, are the evidences I adduce against the claim of Mexico to any part of the territory lying between the Nueces and Rio Grande, and below New Mexico.

On the part of Texas, I urge the fact of her expulsion of the civil and military authority of Mexico from the east to the west side of the Rio Grande, and of her having kept it there. I urge the fact of her congressional declaration of December, 1836, of the Rio Grande as her boundary. I urge the fact of her military establishment at Corpus Christi, convenient to her settlements, and favorable for the reception of supplies, from which post the army of Texas, at pleasure, first under General Rusk, and afterwards under General Felix Huston, traversed over the whole of this country without molestation. I urge the fact that Texas had organized this country into counties, and appointed civil officers in it to administer her laws; that she sent her public surveyors into it, and surveyed it, and appropriated these lands to her own use. I urge the fact that Texas had established an election precinct at Corpus Christi, at which the citizens residing between the two rivers, if they chose to do so, could vote. What better claim than this, founded upon conquest and continuous possession, can any country have for her territory? It is the title by which, if not all, the majority of the civilized powers of the world hold their possessions.

It is true, sir, that within this territory, the settlements were detached and sparse, and, from the nature of their situation, in such times as those, that law and justice may have been but feebly administered, and that the franchises of a freeman may have been but scantily enjoyed. The Senator from Maryland [Mr. PEARCE] has ridiculed the fact (but his ridicule will not alter the fact) of a precinct having been established at Corpus Christi for the accommodation of all the settlers residing between the two rivers. What! (he asks,) establish a precinct for these poor fellows to vote at, one hundred and fifty miles from the residences of some of them! Sir, that Senator was born in Maryland, in an old and thickly-settled country, where are to be had, not only all the comforts which man can desire, but also all the political accommodations which the most infirm or indolent could hope for. In new countries, these things are otherwise. At one time, in the history of my own State, which in point of territory is among the largest in the Union, the territory which now forms that State, then a part of Missouri, belonged to the county of New Madrid, and the county seat of which was at the village of New Madrid, on the Mississippi river, some seventy or seventy-five miles below the mouth of the Ohio; and to this county seat the settlers on the Red river had often to come, to attend to their suits and to serve as grand jurors. In the discharge of this duty, those people had to travel, if by water, to their county seat, eight hundred or a thousand miles; and if by land, four or five hundred miles, through a country nearly destitute of inhabitants, and much of the way through the woods, and over navigable streams and impassable creeks. As late as 1819, the county of Arkansas was bounded on the south by Louisiana, and on the north by the State of Missouri, and measured by the meanders of the Mississippi river, which was its eastern front, a distance of about six hundred miles. The county seat for this county was at the "Old Port of Arkansas," a village venerable at least for its age, it having been settled, according to the tradition of the country, cotemporaneously with St. Louis, Kaskaskia, Vincennes, and Philadelphia, which was, I believe, according to our chroniclers, in 1685. This county seat—which has seen better days, but which has been of late years becoming "smaller by degrees and beautifully less"—was selected, as all county seats in all new countries are selected, in reference to population, and not territorial centres. It was on the edge of one side of the county, and the remoter settlers, in getting to it, had to travel two or three hundred miles. These inconveniences are but of common occurrence in all new countries, as Senators from the new States will testify. When the Senator from Maryland shall hereafter dwell upon this subject, I hope we shall have his sympathy instead of his ridicule, and that he will content himself by thanking his stars that he was born in Maryland, and not in the wilderness. I hope he will cease to wonder that the poor fellows on the Rio Grande had to travel to San Patricio or Corpus Christi to vote or transact their business. Upon the whole, then, I urge this fact also as important, and not trivial, in behalf of the claim of Texas.

It is probably true that the greater number of the settlers on the Rio Grande were of Spanish origin, and favorably inclined to the cause of Mexico. But no matter what their origin or feeling, they were too inconsiderable in numbers to be the object of special attention to either of the belligerents. They took no part, generally, in the conflict between Texas and Mexico, and through the double motives of policy and humanity, neither of the parties disturbed them. They were left to the enjoyment of their neutrality, their flocks and little patches of corn, and cotton, and red pepper. The only instance to the contrary, was the order of General Rusk, in 1836, to those settlers to retire to his rear, on the Gaudaloupe, or to the west side

of the Rio Grande, which order all of them obeyed, and continued to obey until 1838, when they were again permitted to return, and did return, and there they have remained ever since.

These facts I urge in behalf of the claim of Texas to the territory between the Nueces and Rio Grande, and as adverse to the pretensions of Mexico. It is true that Mexico, during all this time, claimed not only the territory in controversy, but the whole of Texas, not to the Nueces, or the desert, which she never mentioned, but to the Sabine; and that she blustered and bullied, and talked loudly of invasion, and blood, and thunder, and all that. Thus stood the claim of the respective parties when the treaty of annexation was made in 1844. And this brings me to the action of the United States upon this question of title and boundary. The United States, as the successors of Texas, and to whom this settlement of her boundary had been committed, could not, consistently with her fidelity and honor to Texas, give up any part of it, without a friendly discussion, by which the United States should be satisfied that the claim of Texas was untenable. The United States would have regarded it as treacherous and cowardly to have done so. This discussion, at that time and ever since, the United States were most anxious to have, and to settle it speedily, and upon the most liberal terms, of which there is in our archives the most abundant proof. This discussion the Government of Mexico most peremptorily refused, and in consequence of that refusal, the United States were unwilling to give up any part of the boundary claimed by Texas. The main opposition to the treaty of that day rested upon the question of boundary—and that part of the boundary, mainly, which included the Santa Fé country, or New Mexico, with its forty villages, which had been settled by Spain one hundred years before La Salle had ever seen the Mississippi river, and which Texas had never invaded, much less conquered. To show that this country was included in the claim of Texas, the Senator from Missouri, [Mr. Benton,] in April, 1844, introduced a resolution calling upon President Tyler for the boundary claimed by Texas. The response to this call was a map, in large red lines, describing that boundary from the mouth to the source of the Rio Grande. Accompanying this map was a memoir of valuable information which had not been called for by the Senator from Missouri, showing the quantity of land, among other things, which we were getting by our treaty, and the computation of those lands included, all lying within the claim of Texas. This was all that the opponents of the treaty desired, and as it came to us, without any explanation in regard to that fact, giving us New Mexico, it was rather more than the friends of the treaty desired. The treaty was rejected. But the policy of the United States, in regard to the manner of settling this boundary question, (that is to say by a friendly discussion,) has not been changed. The United States have still considered themselves bound to protect the boundary of Texas until satisfied it was untenable. The United States had no other course to pursue, under such circumstances, than to prevent Mexico from seizing Texas or any part of it, by force. She would have acted unworthy of herself, and contemptibly in the eyes of the world, if she had pursued any other policy than she has upon this question, under all the circumstances. She has not been derelict in her duty to Texas, nor unkind or unjust to Mexico. The President did precisely what the country expected him to do; he tried to settle this boundary in a friendly manner and upon the most liberal terms. He could not effect it. Mexico was preparing to invade it and hold it, and the President anticipated Mexico, and prevented her. In doing this he did his duty, and for which, for one, I thank him.

But our adversaries say, that in a movement so important, so likely to change the peaceful relations between the two countries into that of a state of war, it was the duty of the President to have consulted Congress, which was then in session. It is true that Congress was in session in January, 1846, when the order was given to General Taylor, and that Congress was not consulted about that order. And why, let me ask, should Congress have been consulted about it? Does not a satisfactory answer, for the omission of the President to consult Congress about this order, suggest itself to Senators? Have we so soon forgotten the events of that period? Have we forgotten our difficulty then pending with England in regard to the Oregon territory? The anxiety felt everywhere and by every one upon that subject? Have we forgotten the temper displayed by our fellow-citizens at that time; the manifest and eager uprising of the masses of our population upon the popular cry in this country, of a war with England? of the prompt demand for news upon the arrival of every steamer from England? Have we forgotten the debates in England and France, (her ally upon the Oregon and Texas questions,) and the debates in this Chamber, upon the anticipated rupture at that time with this formidable Power? of the necessity we all felt for the immediate adjustment of this question, fairly and amicably, in order to preserve the peace of the world, and probably England or America, and possibly both, from many and irreparable sacrifices? Have we forgotten the influences which this Oregon question had upon the policy of Mexico, and of the Texas question upon the policy of England, by which these two Powers were brought together, and acted in unison against the United States? and in which the coöperation of France was relied upon by the mad and visionary, but tempting consideration of giving, under the auspices of Paredes and the clergy, a ruler to Mexico, in the person of a prince of the house of Bourbon? In such a critical position of our affairs, in January, 1846, was the President prepared at that time to recommend Congress to declare war against Mexico, if he had even desired a war, which he never did with that power? No, sir, he was not. He chose, and I think wisely, a different line of policy. He chose to settle our difficulties with Mexico, if possible, rather by negotiation than the sword, and acting on this policy he directed our minister, (Mr. Slidell,) notwithstanding the refusal by Herrera to receive him, and notwithstanding the revolution, and the avowal of the principles on which it was achieved—he directed that minister, notwithstanding these obstacles, to remain in Mexico, and to make overtures for his reception, to the usurper, with the view of settling every cause of dispute between the two countries. And that minister did remain, and did make these overtures until the 12th of March, when, on that day, his overtures were definitely and finally rejected. That chieftain having come into power by

a revolution predicated upon the question of no negotiation with the United States, but war; and expecting at that precise period of time a rupture between the United States and England upon the Oregon question, which had, at that time, assumed the appearance of probability, and relying, for the reasons before alluded to, upon the coöperation of France, and relying also a good deal upon our unhappy divisions upon the Texas question, of which, I have reason to believe, he was well informed—that chieftain, for these reasons, on the 12th of March, dismissed Mr. Slidell, and resolved, in the midst of our difficulties at home and abroad, to invade Texas for the purpose of reconquering it. At that time, on the 12th of March, when this long talked-of invasion of Texas had been determined upon, the movement of General Taylor from Corpus Christi, which was on the 11th of March, and only one day before the final refusal of the reception of our minister, was not and could not have been known by Paredes, or in the city of Mexico. It was not, therefore, the march which either caused the refusal of the reception of our minister by the Government of Mexico, or that provoked that Power into hostilities against the United States, from which this war owes its origin. Are other proofs to establish this fact desired? If so, we have them, in the proclamation of General Ampudia, at that time at the head of the invading army, under date of the 27th of March, at Saltillo, in which he enumerated the causes of complaint against the United States; and in that list the march of General Taylor from Corpus Christi is not enumerated, but the resolution for the annexation of Texas is enumerated. As General Taylor had only arrived at the Rio Grande on the 26th of March, on the day only preceding the date of that general's proclamation, the movement of General Taylor was probably unknown to him. Are further proofs wanted to show that the admission of Texas into the Union, and not the march of General Taylor, was the cause of offence to Mexico, which produced the revolution, and pushed that Power into hostilities against us? We find this additional proof in the manifesto of Paredes, dated at the national palace on the 23d day of April, 1846, after he had heard of the arrival of General Taylor on the Rio Grande, which arrival he notices in that manifesto, and which he regarded as an aggravation of the offences of the United States against Mexico. That chieftain, in that document, informs us, that on assuming the responsibility, in the beginning of the year 1846, he had resolved upon changing the policy of Mexico, from that of weak and temporizing, which had been observed in regard to the United States, in consequence of the perfidy of the United States in incorporating one of the departments of Mexico into its Confederacy, and of its treacherous violation of the terms of existing treaties, which defined the limits of Mexico. That President of Mexico tells us in that document, after a good deal of bluster and bombast, that it was for this reason that Mexico sanctioned the movement which he began at San Luis Potosi, not for the purpose of placing himself in power, but that Mexico "might shine," by the triumphs of a cause, which is the cause of the conservative principle of human society. Are other proofs wanted to show that it was not the march of Taylor's army to the Rio Grande that caused this war? We find them in the letter of Commodore Conner, under date of the 2d of March, 1846, nine days before General Taylor moved from Corpus Christi, in which the Commodore states, that the papers of the capital state that within the last ten days a large force of nearly eight thousand men had marched to the northern frontier. The Commodore attached but little credit to the report at the time, but subsequent events have proved that these statements in the papers were not unfounded. Is further proof wanted to show that it was not the march of General Taylor from Corpus Christi that brought on this war? If so, we find these proofs in the reports of General Taylor, informing us of the affair at the Little Colorado—of the rancheros which beset his march, and of his having found, on his arrival on the Rio Grande, 1,500 or 2,000 men at Matamoros, and of expected reinforcements under General Ampudia, which could not have been organized and placed in position within the time which intervened between the breaking up of his camp at Corpus Christi and the arrival of General Taylor on the 22d of March at the Rio Grande? Proofs might be multiplied to show the impossibility of the march of General Taylor to the Rio Grande having been the cause of this war. Yet, sir, for some time after the arrival of General Taylor on the Rio Grande, no attack was made upon him, and it had been deferred so long that that General, and General Worth, were both of opinion that no attack would be made upon our army; and under this impression, General Worth, on the 13th of April, resigned his commission, and on the 16th of April, left Point Isabel for the United States, and reached Washington on the day only before the news of Thornton's affair—which affair, as before observed, was the cause of the war. After all this proof it is still contended that the President is the cause of this war, because he did not supply General Taylor with more troops. Our unsettled difficulty, which was then at its height, with England, required a portion at least of our small army in other quarters. The public exigencies at that time required a portion of our troops on the Atlantic, and on the Canadian and Indian frontiers. General Taylor was supplied with all the regulars that could be spared him. But the President gave him full authority, if he needed more troops to repel the threatened invasion, to call for such force as he wanted, upon the Governors of Alabama, Louisiana, Mississippi, Tennessee, Kentucky, and Texas; and these Governors were notified to honor General Taylor's call for such numbers of troops as he required. If General Taylor, in whom the President placed full confidence, did not draw for these troops, the fault was in him and not in the President. Volunteers were sent to him by General Gaines without his order, and it was a special ground of complaint on the part of General Taylor that those troops had been sent him; and General Taylor again and again implored the department not to send him troops until he required them. And this confidence of the President in General Taylor is very gravely brought forward as a charge against the President. This is really too bad. Will the time never arrive when an adversary can do an adversary justice?

The remaining cause for this war, which I will briefly consider, was the presentation to Texas, for her acceptance, of the first instead of the second of the resolutions of annexation. The first resolution,

as well as the second, and in this respect they are identical, authorizes Congress to adjust with Mexico the boundary line. In what do these resolutions differ? In the first, Texas was authorized to come into the Union without another contest upon a treaty, which required—what never could be had—two-thirds of the Senate to ratify it. In the second resolution, she had to come in through this gate, through which she never could have passed, or else she had to come in on terms which Texas might or might not have been willing to accede to, and in no event, without another Texas contest upon the terms of the contract, as well as upon the measure itself; which, in the mind of the President, it was very desirable to avoid. Has the Senator [Mr. JOHNSON, of Maryland] read the Journal of our proceedings on these resolutions. Has he discovered that, while as a compromise, every Democrat voted for the second of these resolutions, every Whig, but the immortal three—Merrick, Henderson, and Johnson, of Louisiana—voted against this second resolution? If he has not read our proceedings which happened before his time, I advise him to do so. He has committed one murder upon his party already, by his manly and able vindication of the war; would it not be safe for him, if he desires to preserve his standing in his political church, not to commit another? His party, I can tell him, will not stand such a catalogue of heresies as those of defending the war, and of bringing Taylor's military judgment into question, or, what is more important in their estimation, the propriety of their votes upon any Texas issue.

Sir, before passing from the inquiries into the causes of this war, which I shall do very shortly, I have yet a duty to perform, and that is, to say a few words upon the examples which have been so triumphantly paraded, and which have been so frequently referred to, of Mr. Jefferson and Mr. Madison, as exhibiting so striking a contrast to the acts of the President in reference to Taylor's march to the Rio Grande. The examples of 1803 and 1806, in the time of Mr. Jefferson, and in 1813, in the time of Mr. Madison, do present a contrast to the act of Mr. Polk in relation to the Texan boundary, and for the best of all reasons, that the cases referred to are entirely dissimilar. The act of 1803, of which Ross's resolution was the foundation, and the right to navigate the Mississippi river the leading motive, and the law of nations the justification of it, was an aggressive act, and not defensive, and an act to authorize an invasion, and not an act to prevent an invasion. Authorities, it is true, have been read to show that this act was passed to prevent the invasion of this country by France in 1803. That contemplated invasion I have contradicted for three reasons: the first is, that it was to protect Louisiana against capture and conquest by Great Britain; the second, that the authorities on which it is relied to prove the invasion of the United States bear date in 1802, and the resolution of Mr. Ross, on which the act was founded, was in 1803, and in those resolutions nothing is said about invasion; my third reason is, that if invasion had been apprehended, Mr. Jefferson, to whom all this correspondence, so greatly relied upon by Senators, was directed, would have noticed that threatened invasion of this country by France in his annual message of a subsequent date, which he did not. For these reasons I contend that the act was aggressive—was for an invasion of Louisiana—and, therefore, very justly and very properly the action of Congress, as accomplices in the meditated invasion, was necessary; and Congress, in March of 1803, did consent to become the accomplices of the President in that act of aggression. I have stated the claim, the right of navigation of the Mississippi, which we could not get, either by negotiation or purchase; a claim which it was necessary to assert by force, so long as we had the right to a depôt in New Orleans, by virtue of the treaty of 1796. That right expired by its own limitation, and we were unable to get that right to a depôt extended, or our right to navigate the Mississippi river to the ocean acknowledged, and were prepared, in the event of a failure to purchase of France a depôt for our western produce, or the sanction of that Government to our claim to navigation, to assert it. We purchased Louisiana, and therefore no action was ever had under the act of 1803; and out of that purchase of Louisiana grew the difficulties which gave birth to the acts of 1806 and 1813. I would ask if it is pretended that in 1806 or in 1813 there were any apprehensions of an invasion of this country by Spain? I have heard and shall hear of no such allegation. This act, therefore, like that of 1803, was an act of aggression, and not designed to prevent an invasion of the territory of the United States, but to authorize the United States to invade the possessions claimed and occupied by the subjects of the Spanish monarch. On such a subject it was necessary and proper that Congress should be consulted, and Congress was consulted, and assented to the meditated invasion. Under the act of 1806 nothing was ever done. Under that of 1813 we took possession of the Mobile country, and subsequently incorporated it into Alabama, where it is to-day. These are the cases, all aggressive, all contemplating an invasion of a country occupied and claimed by other powers with whom we were at peace. If gentlemen cannot see the difference between an aggressive, invasive act and one of self-defence and preventative of invasion, I shall have to conclude that they are duller in intellect than I had supposed.

I will now, very briefly, consider the second count of this indictment against the Administration; and that is, as to the manner in which this war has been conducted. When this war was declared, with but two dissenting voices in the Senate, and with but fourteen in the House, the President sent in his estimates for the necessary men, and money, and other means, to carry it on successfully. These estimates of men and money and means, were voted with great unanimity by the two Houses of Congress. The President then devised his plans for carrying on this war; and these plans have been faithfully and brilliantly executed. And what have been the results? In less than two years, without any previous preparations for such results, the President has overthrown and subdued nearly the whole of Mexico—a country nearly as large as our own, and containing a population of about seven millions of inhabitants. If such glorious results as these, which have marked and distinguished the prosecution of this war, are not conclusive as to the skill and energy with which it has been conducted by the Administration, I shall be justified in saying that our opponents are very unreasonable, and very hard to please. Under

what circumstances have those results been achieved? They have been achieved in spite of the opposition party in this country, who, from the beginning to this day, have endeavored to embarrass the Executive, by rendering this war odious and unpopular. At the very time that this war was declared—though voting for it, and every measure connected with it—we find it denounced by the Opposition, as unnecessary and unconstitutional. They indicated (as the debates at that time will show) their purpose, at some future period, more suitable, in their judgment, for such a proceeding, than at that time, to bring the President to an account for his sins, in bringing this unnecessary and unconstitutional war upon the country.

The President has achieved these results in spite of these imputations, and in spite of these appeals to party, to fanaticism, and bigotry, and sectional jealousies. He has achieved them in spite of the terrors held up to our countrymen in the form of the fatal diseases of the Mexican climate—her deserts, and her mountains, and her invincible Spanish blood. The predictions of their prophets, (and what nation in time of war has ever been without them?) of ruin to our treasury, and bankruptcy to the whole country, and of having, after the first or second campaign, a foreign war upon our hands without an army in the field or money in the treasury; these predictions have not been obstacles of sufficient magnitude to interrupt materially, or to prevent, our glorious successes. Such opposition, formidable only to weaker minds, has not deterred our Executive from the vigorous prosecution of this war. His triumphs have astounded the Opposition, and surpassed the expectations of his own friends. Ever regretting the existence of this war, and desirous at all times to close it on honorable terms, he asked for an appropriation of three millions of dollars, at the last session, to enable him to terminate it; and on that occasion, the Opposition, though clamoring for peace, refused, in a body, to vote for it. The cry then was, "Will you buy your peace of Mexico?" In short, the Opposition denounced the war—they threw obstacles in the way of its prosecution, by endeavoring to render it odious; and when money, and not bullets, is asked, as a peace measure, that, in its turn, is denounced. What shall we do? What can be done that can and will satisfy our friends over the way?

Mr. President, the last and chief point which I propose to notice is, the ulterior objects of this war. The ulterior objects of this war are, to obtain a speedy and permanent peace, upon just and honorable terms. These terms are, the full payment of the claims of our citizens against Mexico, and a reasonable indemnity for the expenses and sacrifices which this war has cost us. This demand is expected in the shape of territory. At the last session of Congress, I was authorized to state, and did state, what territory was regarded as of sufficient value to satisfy our demands, and that that territory was New Mexico and Upper California. This statement, it will be recollected, was made before the battle of Buena Vista, and before the fall of Vera Cruz and her celebrated castle. These terms, our agent, Mr. Trist, was authorized to propose, before our army marched from Vera Cruz. After that agent had received his instructions, our army fought its way to the very gates of the city of Mexico, and there, on the eve of the entrance of our victorious army into that city, an armistice was entered into, for the purpose of saving the further effusion of blood, by a treaty. Notwithstanding the favorable change in the posture of our affairs in that country, after the instructions had been given to Mr. Trist; notwithstanding the many successful but bloody battles our army had fought, after Mr. Trist had received his instructions; the many cities, and castles, and fortifications, the arms and munitions of war, belonging to the enemy, which our army had taken, subsequent to those instructions; the rout, or capture, or slaughter of her armies, and her capital within our reach,—notwithstanding all these favorable changes, which occurred after Mr. Trist had received his instructions on our affairs in that country—changes that would have well justified the United States in exacting terms more onerous upon Mexico—we find Mr. Trist, our agent, offering to receive of Mexico Upper California and New Mexico, of both of which we were then in possession, and, as conquerors, had the unquestionable right to hold or dispose of. These provinces were not only satisfactory, but were regarded as more than satisfactory: for our agent proposed to give for them, in addition to our demand, important moneyed considerations, besides restoring to her all the residue of our conquests in that country. These terms, too liberal in the estimation of many, were rejected by Mexico. The armistice was then terminated, the capital taken, and her army and government driven from it. These occurrences having been communicated to our Government, Mr. Trist, our agent, was recalled by a letter from the Department of State, on the 6th of October, 1847. And that recall was reiterated on the 25th of October, and the receipt of the first letter of recall is acknowledged by Mr. Trist in a letter of the date of the 27th of November, 1847. Since the recall of Mr. Trist, there has been no one in Mexico authorized by the Government of the United States to make a treaty with Mexico. But it is well known in Mexico, that the President is willing, and is really anxious, to make a treaty with her. If the terms offered by Mr. Trist had been accepted by Mexico, that treaty would have had the sanction of the President. These terms, now, with probably a slight modification as to boundary, and the withdrawal, in whole or in part, of the moneyed considerations, would be approved by the President. The President never did desire, and does not now desire, the whole of Mexico, or the extinction of her nationality, or the incorporation of it, as States or provinces, into this Union. No such policy ever found favor with him. His messages, and all his acts, connected with Mexican affairs, furnish abundant proof that he never contemplated or desired any such results. The President, in my judgment, more than any other man in America, desired to avoid this war; and that officer, more, probably, than any other man in America, has ever been most desirous of terminating it, speedily and honorably. With this conviction upon my mind, I was not prepared to hear the Senator from Tennessee [Mr. Bell] assert that the President did not desire a peace with Mexico, and that the President desired to conquer and hold the whole of Mexico.

Sir, when that Senator [Mr. Bell] stated that the President did not desire a peace with Mexico, I really supposed he was indulging in a little

humorous irony—in a little pleasantry of wit, which he intended as a gentle reproof of the President for the eagerness he had ever manifested to make a treaty with Mexico, (an eagerness which many thought rather too beseeching, and a little unbecoming,) and with this impression on my mind, contrasted with his grave demeanor, I was about to conclude that he was one of the most magnificent jokers of the age. But this illusion did not long continue. I soon found my friend preparing very eloquently and very seriously to prove, and that, too, by the President's message, that the President did not desire a peace with Mexico; and with such force and earnestness did he press this matter, that I really began to doubt the correctness of my own opinions upon the subject. I began to think I had not read the President's message understandingly, and that I had not correctly comprehended the purport of the many conversations I had had with him and the members of his Cabinet upon this subject. These doubts, however, like my allusion at first, were but momentary. The President, the Senator says, is not anxious to make a peace with Mexico.

Mr. BELL explained that he had stated that the President was not anxious to make a treaty, unless he could so make it as to obtain security for the future.

Mr. CASS asked on what authority the Senator from Tennessee stated that it was a security against the interference of foreign nations.

Mr. BELL replied, that it was a deduction from the policy which had been pursued, and the arguments by which it was defended here. He protested against being represented as saying the President was not anxious to make a peace—he ought to be—but that he would not make a peace which did not offer security for the future.

Mr. SEVIER. Sir, the President wants a peace with Mexico—a speedy and permanent peace. He would not make a treaty with a man of straw—irresponsible, and not at the head of that Government; but would sign a treaty to-morrow, or to-day, with Herrera and the Congress at Queretaro, if that treaty gave the satisfactory concessions. But, "indemnity for the past and security for the future!" What he means by security for the future, is a treaty with a government sufficiently stable and permanent to make a treaty, and to close it, and to sign it on parchment—a treaty that will be recognized as such in the eyes of the world. If the President can make a treaty with a government as stable as that of Herrera, or Paredes, or Santa Anna, or the present government, whether they be governments *de jure* or *de facto*, he will make it, and hold that country responsible for its fulfilment. But "indemnity for the past and security for the future," is an expression in the message of the President that seems to be unpalatable to the Senator from Tennessee. If we all did not know that the President was incapable of it, we might suppose he had plagiarized the expression from Mr. Clay. When the opponents of the last war were pressing that gentleman for a declaration of the objects of Mr. Madison's war, that gentleman replied, the objects were "indemnity for the past and security for the future." The avowal was unsatisfactory at that day, as it appears to be in this.

The President endeavored, in December, 1846, to make a treaty with Herrera, in the midst of a revolution in that country, and only a few days before Herrera was overthrown. He endeavored to make a treaty with Paredes, a military usurper, claiming only to exercise the functions of President *ad interim;* and when his downfall was threatened, and which, in a few months afterwards was consummated, he endeavored, through his agent, Mr. Trist, to make a treaty with Santa Anna, the Dictator of that country, and but a few weeks only preceding his downfall. He has since publicly avowed in his message his willingness and hearty desire to make a treaty with Mexico at any future time. Sir, the President wants a peace with that country—his objects are peace, and all of his measures are recommended to get peace. There have been many rumors in this city, and through the country, that this desired object of us all—that is, peace with Mexico—has been obtained by General Scott and Mr. Trist. It seems to me that the Senator seems to speak knowingly upon the subject, and that he wants those on this side of the Chamber to commit themselves, for or against it, before they see or know anything about it.

Mr. BELL disclaimed any such object.

Mr. SEVIER said he was glad to hear the disclaimer. But these rumors had been so prevalent, and as there seemed to have been some confidence attached to these rumors of peace, he intended to ask the Senator whether he had received information that Scott or Trist, without the sanction of the Government, which neither of them had, had made a treaty, or were about to make a treaty, or not. I have been about in the city a good deal, among gentlemen of both parties, and have heard rumors of a treaty in every direction, and questions have been asked of me, if I did not know that the news of the treaty had arrived by telegraph from Petersburg, or New York; and again, that the treaty was in the city, and that the messenger that brought it was here; and therefore it was, that, when I heard the Senator so repeatedly asking us if we would accept a treaty, ceding us California and New Mexico, I supposed he might have what the Government had not—a copy of the treaty in his pocket.

Mr. BELL. Do you know anything about such a treaty?

Mr. SEVIER. No, sir. I know nothing about a treaty; but it did appear, sir, as if the Senator had been informed of a treaty, and that he was trying to force us to commit ourselves—to go it blind—whether we were for it or against it.

Mr. BELL disavowed any such intention. What he wanted to know was, whether the Administration regarded the existing Government of Mexico as competent to give security for the future?

Mr. SEVIER. That question, sir, I have answered already: that the Government would, if it could, make a treaty with the present Government in Mexico. And as we have had prophets on the other side, I will now beg to turn prophet myself. I prophesy, when a treaty is made, if it ever be made, that that treaty will be decidedly opposed by the gentlemen on the other side. They will oppose it as being too liberal or too rigid to Mexico; it will have in it too little or too much for their approbation. I hope I may be mistaken in this prophecy. Put the prophecy down in your memorandum books, and when the day shall come when we shall have such a treaty to dispose of, it will be seen whether I have prophesied truly or not.

Sir, the President will be satisfied with a treaty providing for the payment of our claims, and for an indemnity for the expenses and sacrifices which the war has cost us. Upper California and New Mexico were regarded as sufficient for all of our demands against Mexico. Something more may or may not now be required. Tampico and the mountains of Sierra Madre, without other equivalents than our demands, with, probably, the security of some commercial privileges, may be required now. It is not to be expected that the precise terms of a contemplated treaty, before it is made, can, with propriety, be made public.

Sir, the President never dreamed, at any time, that any one ever thought that his object, heretofore or now, was the extinction of the nationality of Mexico. I never heard, sir, from any respectable source, until the Senator from South Carolina [Mr. CALHOUN] introduced his resolutions upon that subject, that the President ever had or could have any such scheme in view. The Senator from Tennessee assumes, in the face of the President's message, that such are the designs of the President, and upon that assumption he bases his opposition to the ten-regiment bill. Sir, my honorable friend described to us, with great force and much apparent feeling, the cruelty and tyranny of the lash of party, and in the same connection he told us, that he came here this winter prepared to vote for any reasonable amount of men and money, to carry on this war successfully. When I put these statements together—the party lash, of which he so justly and bitterly complained, and the change which he confessed had been made in his original, generous intentions towards the Administration, upon the subject of this war, and that of opposition to the bill before us—I could but think that the party lash had been but too successfully applied to him. He found, on his arrival here, that many of his party were not up to his original mark; that some of them were so far below it as to be advocates of the policy to bring back our army the quickest, and shortest, and cheapest way, without peace, or indemnity, or the payment of the claims of our citizens. I could but think that the rigor of party discipline, against his better will and judgment, had forced him to abandon his original position, and to go over to the platform prepared for him by the Senators from Ohio [Mr. CORWIN] and New Hampshire, [Mr. HALE.] Forced into this new position, I thought that he considered it necessary to assign some reason for this change, and that reason he found in the position he assumes, that it is the design of the President to seize and hold the whole of Mexico. Sir, that sin, of which the Senator spoke, in the poetic language of Pope, that at first was repulsive, then tolerated, and then embraced, was a description, I thought, fully applicable to his transitions, in reference to his change of policy upon the subject of this war, and the substitution of an opposite policy.

Sir, the Senator from Tennessee desires to drive us, it would appear, to the issue of calling the army back, the cheapest and shortest way, or to take the whole of Mexico. He has made this issue; we have not made it. We take the issue of a prosecution of this war until we force a peace, predicated upon the terms of paying the claims of our citizens and of indemnifying the country to some extent for the expenses of this war; or the withdrawal of our army, without peace, or indemnity, or the payment of those claims. This is the true issue. But, sir, the Senator from Tennessee is an able and an adroit man.

Mr. BELL. I do not take that as a compliment.

Mr. SEVIER. Well, then, sir, I will take it back. But I will say, that from his great abilities, and talents, and influence in Tennessee, and from the issues he made up for the people of that State to decide, that he produced a revolution in public sentiment in that State, and took it from the Democratic party. He came here with a high reputation for his powers of mind, which led us to expect what we know now by experience. Now, sir, he would make an issue for us of the whole of Mexico, or the line of the Rio Grande or the Nueces. This is his own issue, not ours. Yet this is the issue he argues. He assumes that it is the policy of the Administration to take the whole of Mexico; and, so regarding it, he gives us his views at great length, most eloquently and powerfully against such a measure. To prove that that is the object of the Administration, he refers to the abolition of the transit duties in Mexico, in which he sees an effort on the part of the United States to conciliate the people of Mexico. I suppose the Senator refers to the order from the Treasury Department to General Scott. That order was given for no such purpose. It was found impossible to collect these transit duties with our machinery in a country like Mexico. They were therefore abolished; and in lieu of those duties, the different departments of Mexico were required by General Scott to furnish him a gross amount, at stated periods, which has been done. The revenues thus collected exceed, according to the statement of General Scott, fourfold the amount that was received under the system that he abolished. Does the Senator call this electioneering, or an effort on the part of the United States to conciliate the people of Mexico? Thinking that this evidence proves the truth of his assumption, that the Administration desires the subjugation of all Mexico, he then proceeds to enumerate, with great force and skill, the objections which he sees in such a measure. Now, sir, if we shall be drawn to such an issue by the embarrassments flung in the way of our Government at home, and by the encouragement which such opposition gives to the people of Mexico; which issue is, to retreat ingloriously from that country, leaving an exasperated and perpetual, and probably a pursuing enemy behind us, without peace or indemnity, or the payment of the claims of our citizens; or to take the whole of Mexico,—whatever may be the consequences, I, for one, am ready to say, march on. In such a chain of evils, I am ready to say, that, sir, although against the conquest of Mexico, and against any more than a reasonable cession of territory, if we are to take the issue proposed by the Senator from Tennessee, I will go for the whole of Mexico, with all the objections attending it, and there are many which are great, but, in my judgment, not entirely insurmountable. What are they? The Senator enumerates them. The population of that country is one, and the extent of the country is the other.

The population of that country is about seven millions; of this number three-fourths are Indians, illiterate, docile, passive, inoffensive, never desiring and never exercising any of the privileges of citizens—never voting, or taking any part in elec-

tions in that country, or in its revolutions. These Indians are of different tribes, and each of them speaks, as the Senator informs us, a different language from the others. What shall we do with these Indians? Will we allow them to vote, or to be represented? I would do neither; I would treat them as we do our own Indians—give them agents and laws, and kindness, and education. They are a degraded race in Mexico—they could be made less so under our administration. The Senator from Tennessee is aware of this. Some eighteen or twenty years ago, that Senator introduced and passed a bill to remove all the Indian tribes from out of the States in which they resided, and in which they never voted, nor were they ever represented, to a country set apart for them west of Missouri and Arkansas. There are those tribes now, twenty odd of them, speaking as many languages, all improving and happy—so much so, that on two occasions a bill passed the Senate, with but few dissenting voices, to organize those tribes into a territory, preparatory to admitting them into this Confederacy. We can get along with those Indians with as little trouble as we do with our own. They are less warlike, less enlightened or energetic. What shall we do with the other fourth of the population of Mexico, which consists of pure blood, and half-breeds of Indian and European blood? To this class I would apply the principles of our naturalization laws, and the oath of allegiance. I would treat them with kindness and respect, and protect them in the enjoyment of their property and religion, and ultimately make them, as we do all naturalized foreigners, upon an equality with native-born citizens. But the Senator says this cannot be done. They have in their veins the blood of the Visigoths and Celtibereans, a race of people that was never heard to groan. In this poetic description I of course have no confidence. If they suffer, they will sigh, whatever party may say to the contrary. He says they will never become reconciled to us, and will assassinate upon every opportunity. I do not believe in irreconciliation for general, and not for private griefs, and particularly for benefits conferred. If, however, they will stab and assassinate, there is a remedy in this country for such abuses, and that remedy grows in Kentucky and Missouri, which is vulgarly called "hemp." But these people are Catholics—and so they are. Are Catholics opposed to our institutions, in this or that country? In this country we have not found it so. We have had Catholics in our service, at the head of our armies, in our Cabinet, and on the Supreme Court bench. From Mexico, the Catholics—for they are all Catholics—have expelled monarchy, and have copied our Constitution for their form of government. I would extend to Mexico, as we have in this country, unreserved toleration in religious faith. That would be my remedy.

But the country is a large one, and if added to this, would destroy both. That is only an opinion. Every extension of territory thus far has strengthened rather than weakened it. The Whigs have ever opposed the extension of territory—it has been their destiny—and always upon the ground that it would endanger our liberties. The only instances of disturbances in the States have been confined to the old ones, and in those near the centre. We have had a convention of malcontents at Hartford, Connecticut, a whiskey insurrection in Pennsylvania, under the auspices, I believe, of Albert Gallatin, and some dissatisfaction in South Carolina, growing out of our revenue laws. These, I believe, were all. Let us have something else than speculation upon this subject. But if this country is to be added, he tells us we are to have a standing army to keep the people quiet, and to protect it. A small peace establishment and our navy would be sufficient for both these purposes. Will the people of Yucatan, or Honduras, or New Grenada ever invade it? It is hardly probable. But the debts which Mexico owes abroad and to the church, would you pay those debts? inquires the Senator. I answer, yes; and with the revenues of Mexico—which, under the operation of our finance laws, would easily and speedily be done. But the annexation of Mexico would greatly increase the patronage of the Executive, by the appointment of judges, marshals, district attorneys, governors, &c.; and such patronage would cost us a great deal, and make the President dangerous from his increased power. Sir, the cost would be paid from the revenues of the country; and as for patronage, it is the oldest, the most popular, and has really the least in it, of all the fears which ever beset our people. Instead of strengthening it weakens the President. He has generally many applicants for office—he can give it to but one. He that receives it is no more a friend to the President than he was before; and those who wanted the office and do not get it, are often made enemies of the President on account of the disappointment. The man he appoints, though probably influential before, loses his influence by the very fact that his motives are always suspected. No man who has ever had patronage desires it. I have felt this myself. I represent a people who generally care but little about office; yet it has happened that for a vacant office there were more than one application; and the most painful of all my duties here has ever been to choose between my friends. The Senator from Tennessee was once in the War Department, as the Senator from North Carolina [Mr. Badger] was once in the Navy Department. They have had some experience upon this subject of patronage. Do they not well remember how much they were annoyed by it? How difficult it was for them to see gentlemen on business, on account of the hordes of office-seekers that surrounded them? Would not those gentlemen have been highly gratified if they could have been relieved of all this trouble? Yes, sir, this cry of patronage, designed to create a jealousy of Executive power, was in full blast when I came here many years ago; and being then a very young man, I was green enough to believe there was something in it. This cry has been in full blast ever since, and will be in full blast when I am dead and gone. If you want to strengthen your Executive, deprive him of patronage altogether; if you would serve the country, afford as few occasions for its exercise as possible.

These, sir, are some of the prominent objections urged by the Senator against the incorporation of all Mexico into this Union. And to render this measure still more odious, he imputes to the President, and to the army, and to those who sustain both, the base and ignoble purposes of carrying on the war for "gold and glory." Sir, I have endeavored to show that this war was inevitable on our part, and that it is prosecuted from the

same inevitable necessity. The Senator compared this war upon Mexico to that of Cortez, under Spanish authority, which he said was a war for gold and glory.

Mr. BELL disclaimed having made any such statement.

Mr. SEVIER said this gold and glory had been flung in, for some cause which he did not understand. If it was not intended to be alleged that this war was for some such cause, why was it introduced?

Mr. BELL hoped the Senator would excuse him for interrupting him, but he had said nothing as to the object of this war being for gold and glory; but had said, that between the commencement of the war and the present time, perhaps some motive may have crept in which we did not know of exactly, and which might govern others in voting for a further prosecution of the war.

Mr. SEVIER. Well, sir, why did he say that gold and glory was the cause of the war of Cortez, unless he meant to charge upon the officers and men engaged in this war the same unholy ends and purposes which he says governed Cortez and his companions? If the Senator from Tennessee says the party here, or the Administration, or its friends upon this floor, who vote for this bill, and for a further prosecution of this war, are governed by any such desire of gold and glory, he says that which he cannot sustain, and which is not true. The Administration are guiltless of such motives; the act of Trist, the act of Slidell, the acts of our generals in Mexico, plainly show that such are not the sentiments of this party and this Administration. The Senator also urged as an additional reason which would render the acquisition of Mexico unpopular—the removal of the capital from its present location; a necessary consequence, he affirmed, of the adoption of this measure. I hope it will not be done during my time. I have learned the way here, and desire to travel no new roads, to any new capital of the United States. I am content to let it remain where it is. Yet, I can tell that Senator, that the time may come, although he and I may not live to see it, when this capital may be moved, whether Mexico is annexed or not. This is a work which our successors may, or may not, accomplish. These are the reasons, all based upon the assumed fact, that the subjugation and annexation of all Mexico is the object of the Administration; upon that assumption the Senator justifies his opposition to the bill now before us. These are the facts which are to justify him in voting against supplies and reinforcements to our gallant army in Mexico. It seems to be a sort of Whig destiny, in time of war to vote against supplies and reinforcements to the army of our country. I understand that the Senator, and the party with whom he acts, will not vote a dollar for supplies or reinforcements of any kind to our army in Mexico. Is he willing to let that army perish for want of supplies and reinforcements? Does he expect the country to sustain him and his friends in such a course as this? No, sir; wo unto that man, in time of war, who shall refuse to vote supplies and reinforcements to the army of our country!

Mr. BELL. Don't take the proper officers away, and our army will not perish.

Mr. SEVIER. We have got the proper officers there, and will keep them there. If the army is left to perish in Mexico, there will be a heavy responsibility upon those who refused it the necessary supplies and reinforcements. Would the Senator leave our army in Mexico without reinforcements until the day of danger arrives?

Mr. BELL. If the army were really in danger, I would vote any number of men we should require; I thought there was a sufficient force there already, and that the army was in no danger.

Mr. SEVIER. The Senator used the word "rescue"—that he would be willing to rescue the army from danger.

Mr. BELL. I disclaim the idea. I said I would not vote supplies until I saw the army in danger; and took the position that 25,000 men, or 30,000 men, under Scott, with able and experienced men to command them, were not likely to be in danger. All the documents on this subject go to show that the force now there is amply adequate for necessary purposes. I am sure the Senator does not wish to misrepresent me.

Mr. SEVIER. Very far from it. But I called his attention expressly to this phrase, which struck my ear, for the purpose of an explanation. I used the word "rescue," particularly desiring some explanation from the Senator if I had misconceived him, but he was silent. And then I went on with my comments. Then, again, in regard to voting supplies, I thought that he meant to say, he would not vote supplies until he saw the army in danger.

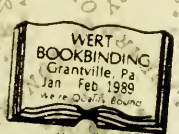
Mr. BELL. I said that I thought the force at present in Mexico was sufficient.

Mr. SEVIER. But the head of the army, General Scott, advised an addition to his forces; and it was in accordance with that recommendation, and for the purpose of enabling the force to collect the revenue, to support not only the men we propose to send there by this bill, but those already there, that this bill was proposed.

Mr. BELL. If the gentleman will allow me, General Scott had estimated how many men would be necessary to carry out the plans of occupying all the States of Mexico. But I presume, if it be intended to get a peace with the existing Government, an additional force would not be required. If thought that, with regard to the occupation of all the posts, thirty thousand men at present under Scott, in the present circumstances of the country, would be adequate, with the six or seven thousand men coöperating on the line of the Rio Grande. The honorable Senator observed that the state of the army depends upon the discretion of the general commanding under the instructions of the Executive here, and it is only by extending operations in such a manner as in Mexico, that the Administration will ever be able to extricate themselves from the necessity of holding it entirely, and that an additional force would be necessary.

Mr. SEVIER was very happy to hear the explanations of the Senator. He had intended to call the Senator's attention to other parts of his speech; but as he was weary of this colloquy, he would pass over them. He would now conclude by summing up what he had endeavored to present to the Senate. He had endeavored to show, first, that the war was inevitable on the part of the United States; secondly, that it had been wisely managed and successfully carried on, in spite of the opposition party of the country; and, thirdly, that the United States had ever been ready and willing, and are still ready and willing, to make peace

with any stable Government of Mexico, on honorable and liberal terms; that it never was the design of the Administration to subjugate and annex the whole of Mexico; and that all the territory the Administration ever desired, or now desires, is but a reasonable portion, sufficiently valuable to the United States to defray the claims of our citizens against Mexico, and to indemnify the country for the expenses of this war. This, sir, is the platform on which the Administration stands.

W46

THE LIBRARY OF CONGRESS